



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: 28 September 2005

EXPIRATION DATE: 28 October 2005

REFERENCE NUMBER: POA-2005-1062-2

WATERWAY NUMBER: Sitka Sound

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Alaska Department of Natural Resources (ADNR), Division Of Parks and Recreation, Design and Construction, 550 W. 7th Ave., Suite 1340, Anchorage, Alaska 99501-3565 POC Mr. Mark Seidl, Chief of Design & Construction telephone (907) 269-8737

LOCATION: Within section 3, T. 55 S., R. 63 E., Copper River Meridian Sitka Sound (Starrigaven Bay) near Sitka, Alaska; Latitude 50.1278°N., Longitude 135.3764°W.

WORK:

Boat Ramp Facility Expansion:

Discharge approximately 2,000 cubic yards of shot rock, gravel and concrete onto an area of approximately 182 feet long by 66 foot wide (0.25 acres) of waters of the U.S. below the High Tide Line, elevation +12.7 Mean Low Low Water datum.

Install a permanent floating dock 228 feet long by 8 foot wide, place 5 galvanized steel pilings to hold the dock in-place. The floating dock would extend approximately 46 feet beyond the end of the ramp.

Earthen Breakwater and Wave Barrier:

Discharge approximately 5,700 cubic yards of earthen materials including riprap onto approximately 0.23 acres of waters of the U.S.

The breakwater would extend waterward approximately 240 feet and be a distance of 80 foot at its widest point.

Install 160' of vertical wave barrier onto approximately 39 galvanized pilings. (See detail on Sheet 6 of 8.) The barrier would begin at the top of the breakwater and angle towards the ramp.

Expanded Parking Facilities:

The proposed work would discharge approximately 1,500 cubic yards of materials to expand the current parking/ramp accommodations, 250 cubic yards would be placed into wetlands, totaling an area 0.3 acres in size.

Install a new culvert under Halibut Point Road.

PURPOSE: Reconfigure the existing boat ramp for expanded use at all tidal stages, reduce wave action on the ramp area with the construction of a breakwater, wave barrier and provide for better traffic flow and additional parking expected with the increase in use. The proposed projects would extend 357 feet out into Starrigaven Bay.

ADDITIONAL INFORMATION:

Agent for this work is: PND Incorporated, 3220 Hospital Drive, Suite 200, Juneau, Alaska 99801 (POC) Mr. Charles Ramos, telephone (909) 586-2093

Construction of the breakwater utilizes existing bedrock outcrops in the area.

There is a potential that blasting may need to occur to place pilings associated with this project.

The breakwater and boat ramp expansion would occur in an area designated as a special aquatic site, vegetated shallows.

The new culvert to be placed north of the boat ramp and under Halibut Point Road is not considered anadromous.

MITIGATION: The applicant has not incorporated into the proposed project mitigation efforts to reduce impacts to the aquatic environment.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There is a registered or eligible property in the vicinity of the worksite. It has been designated **SIT-00229, Starrigaven Midden and Garden Site**. Because it has been previously determined by SHPO and the applicant to be outside of the project area, no further action is required. Reference Memorandum dated March 8, 2005, from the SHPO to the ADNR, Division of Parks and Outdoor Recreation concurring with their finding of "No Historic Properties Affected". Consultation with the applicant's agent and AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity may adversely affect EFH. The proposed work may affect approximately 0.5 acres of EFH for juvenile/adult salmon, groundfish, crab, and scallops. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans.

SPECIAL AREA DESIGNATION: The project is located within the Tongass National Forest

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also

used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. John Klutz at (907) 753-2720, toll free from within Alaska at (800) 478-2712, or by email at john.r.klutz@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

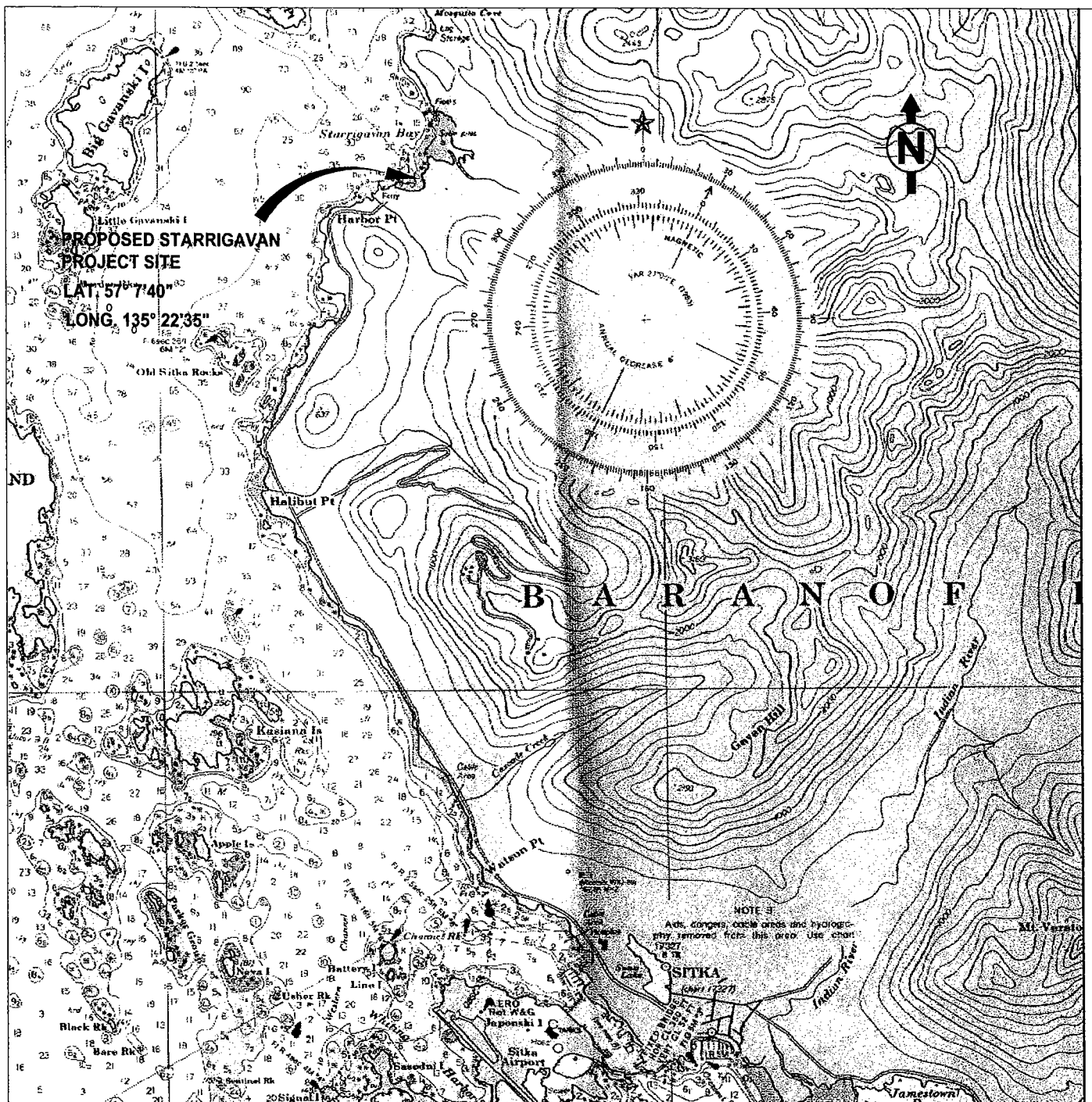
(X) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



(DEPTHS SHOWN IN FATHOMS)

PURPOSE:
TO IMPROVE LAUNCH AVAILABILITY,
INCREASE PARKING AREA, AND
IMPROVE TRAFFIC FLOW.

FILE NO: POA-2005-1062-9

DATUM: MLLW = 0.0 ft

VICINITY MAP

(SCANNED FROM NOAA
CHART 17324)

SCALE IN FEET

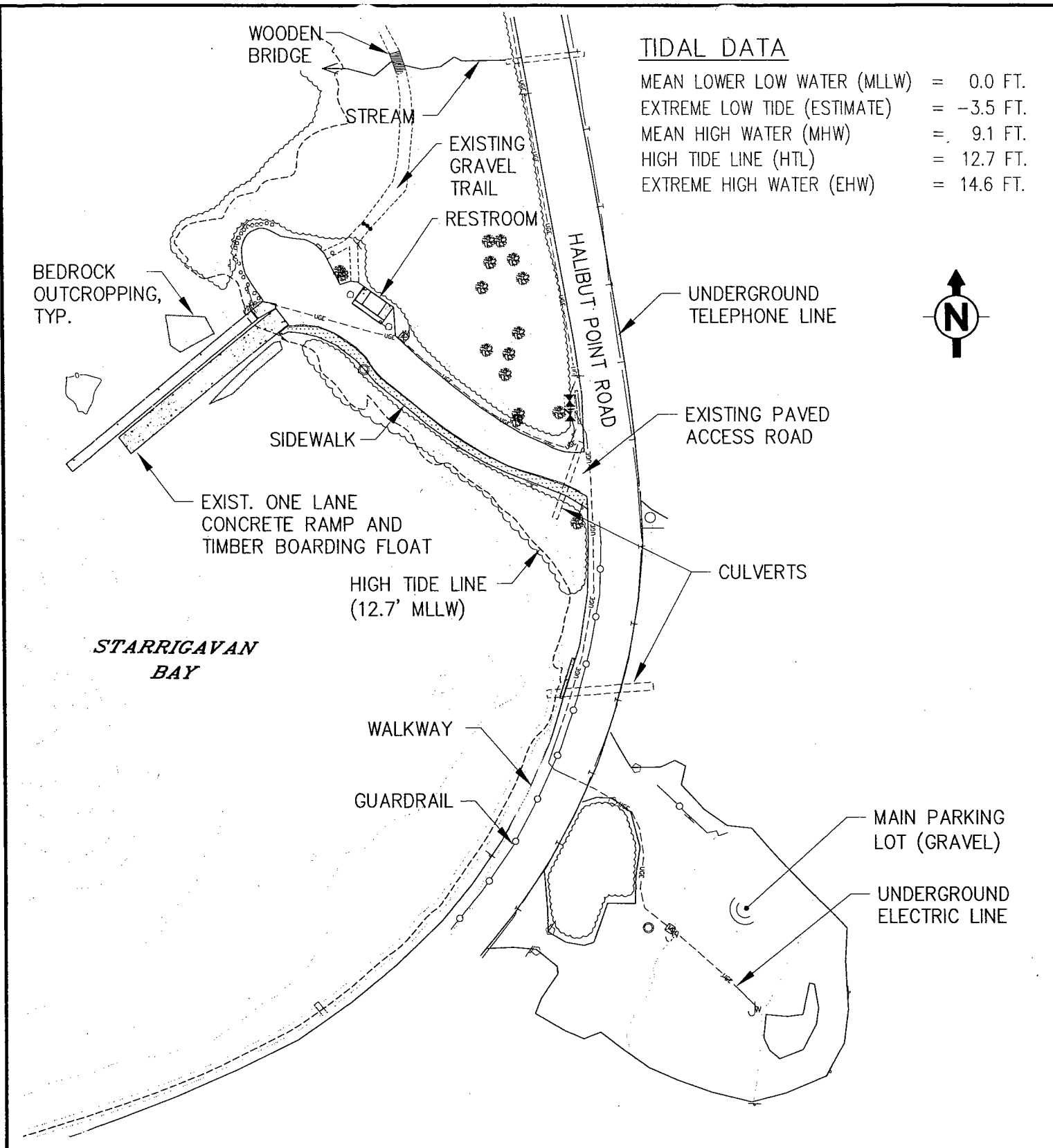


0 5000 10000 FT

PND#: 052012.01

PROPOSED:
STARRIGAVAN BOAT
LAUNCH
RAMP REHABILITATION
IN: SITKA SOUND
NEAR: SITKA, ALASKA
AT: STARRIGAVAN BAY

APPLICATION BY: ALASKA DNR
DATE: 5/7/05
REV: 6/20/05 SHEET 1 OF 7



PURPOSE:
TO IMPROVE LAUNCH AVAILABILITY,
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FILE NO: POA-2005-1062-9

DATUM: MLLW = 0.0 ft

SITE PLAN EXISTING CONDITIONS

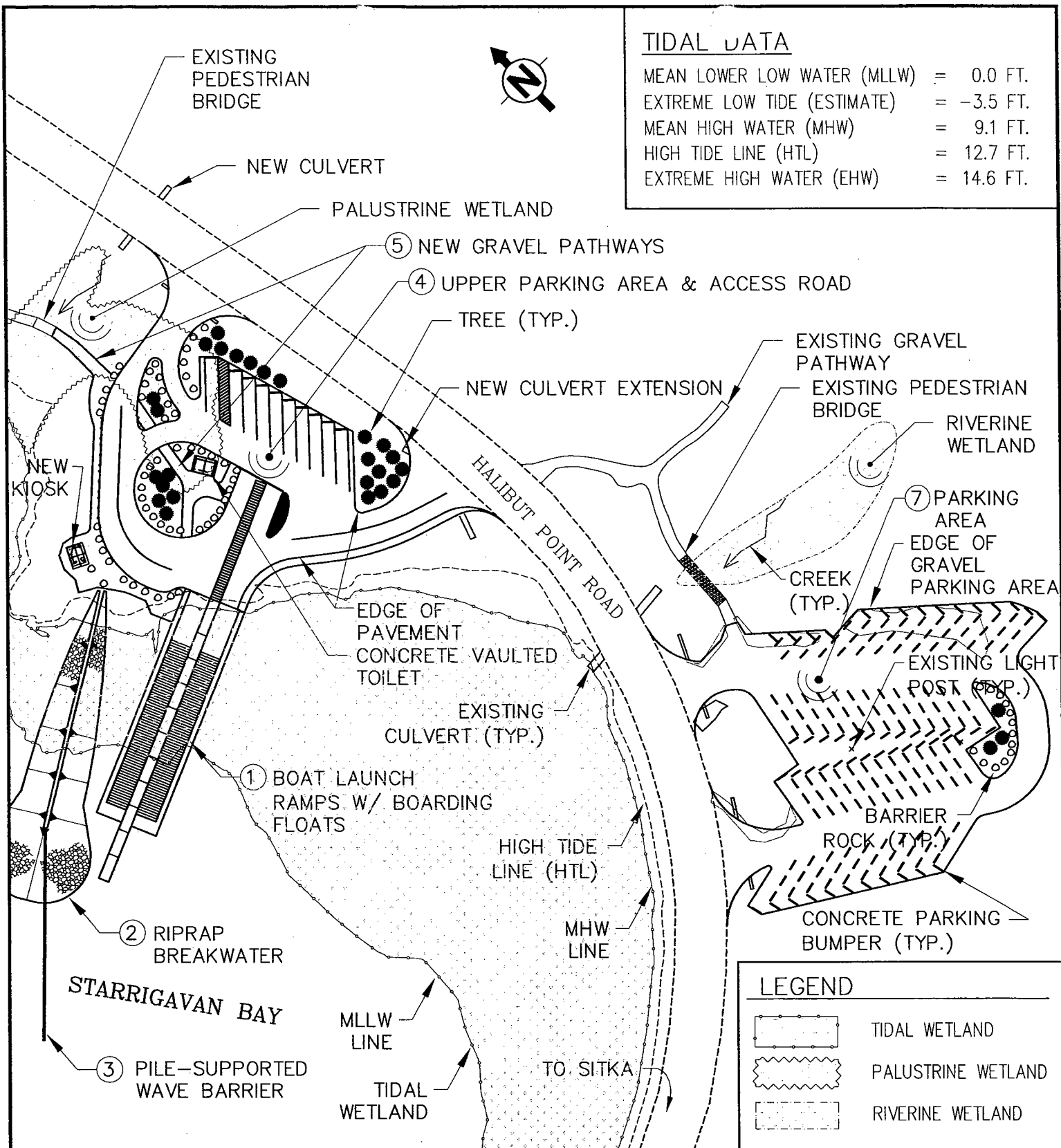
SCALE IN FEET

0 100 200 FT.

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APPLICATION BY: ALASKA DNR
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SITE PLAN PROPOSED IMPROVEMENTS

SCALE IN FEET

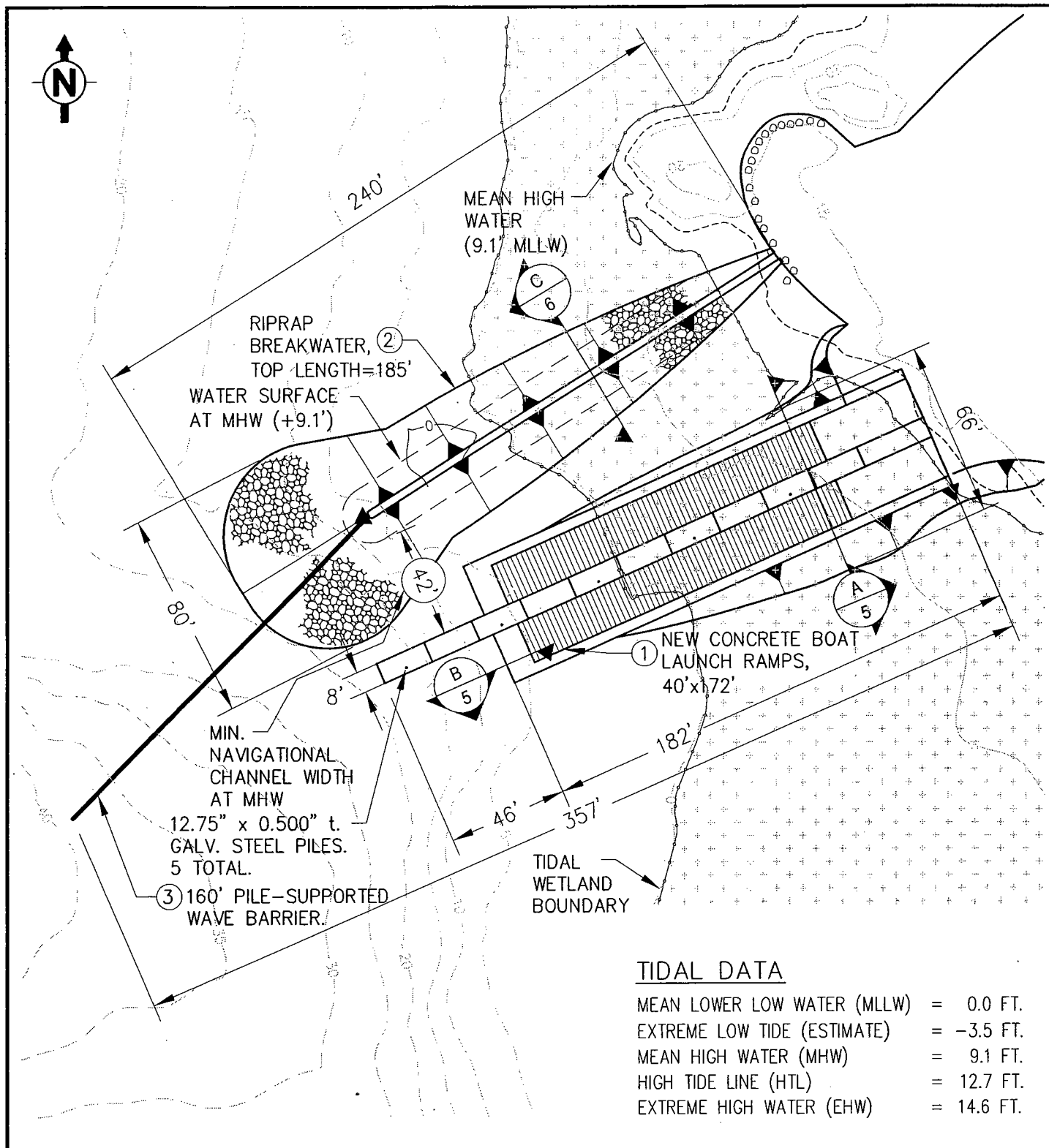


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AT: STARRIGAVAN BAY

APPLICATION BY: ALASKA DNR
DATE: 5/7/05
REV: 6/20/05 SHEET 3 OF 7



TIDAL DATA

MEAN LOWER LOW WATER (MLLW)	= 0.0 FT.
EXTREME LOW TIDE (ESTIMATE)	= -3.5 FT.
MEAN HIGH WATER (MHW)	= 9.1 FT.
HIGH TIDE LINE (HTL)	= 12.7 FT.
EXTREME HIGH WATER (EHW)	= 14.6 FT.

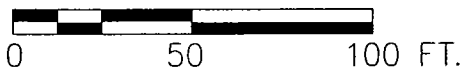
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DATUM: MLLW = 0.0 ft.

PROPOSED BOAT LAUNCH AND BREAKWATER IMPROVEMENTS

SCALE IN FEET

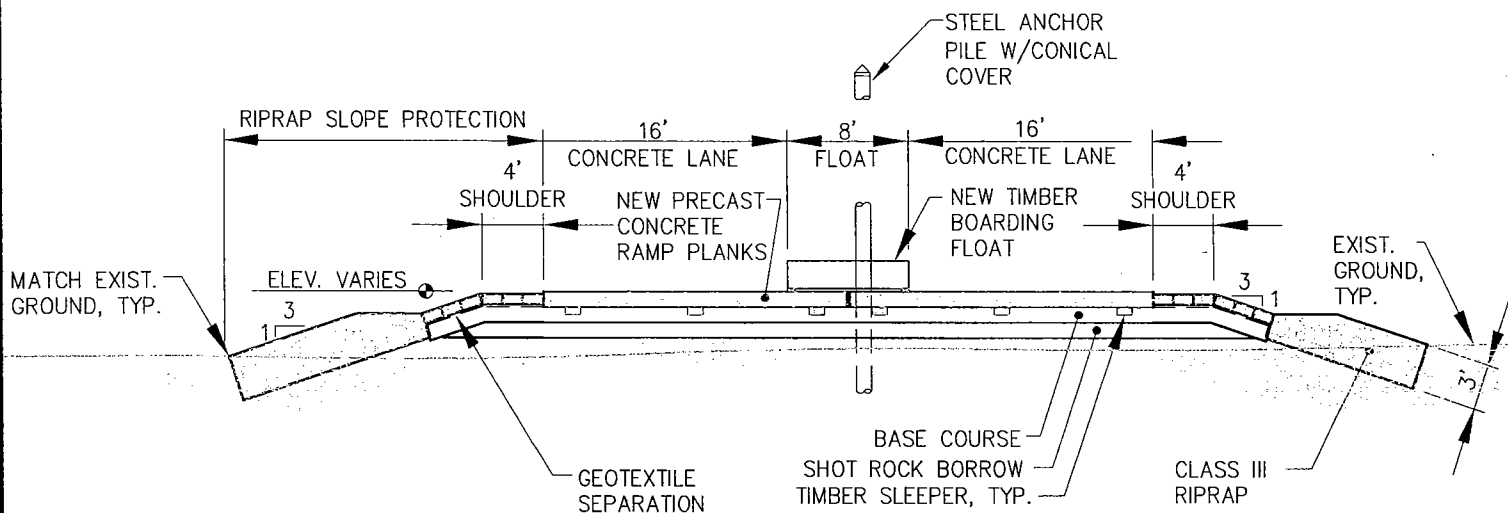


PND#: 052012.01

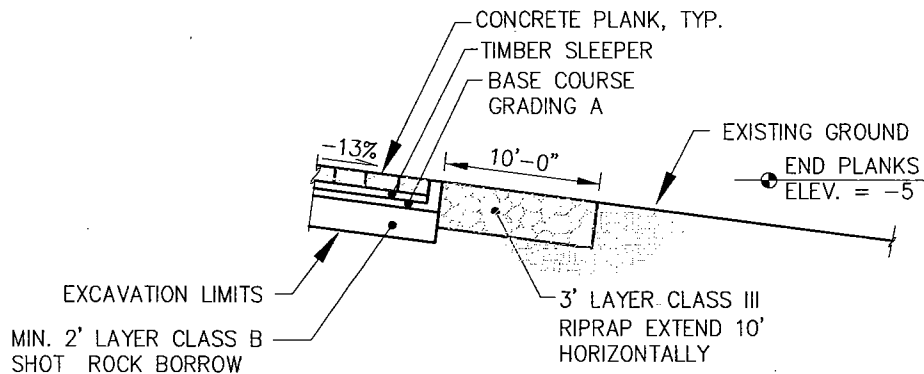
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IN: SITKA SOUND
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APPLICATION BY: ALASKA DNR
DATE: 5/7/05
REV: 6/20/05 SHEET 4 OF 7

AUG 17 2005



A
4 **TYPICAL SECTION - BOAT LAUNCH RAMP**



B
4 **BOAT LAUNCH RAMP - TOE SECTION**

NOTE: BOARDING FLOAT NOT SHOWN THIS VIEW FOR CLARITY.

PURPOSE:
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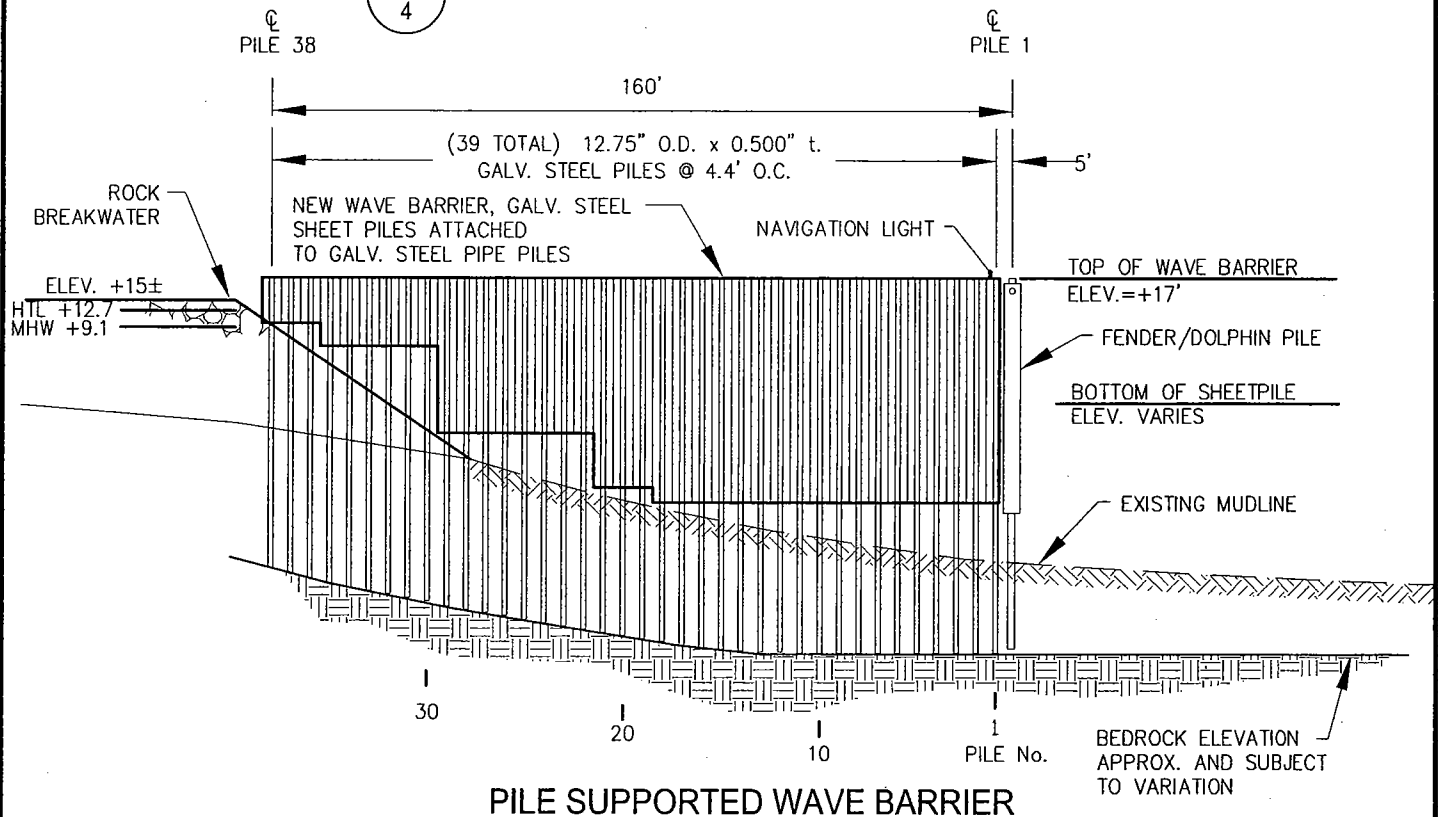
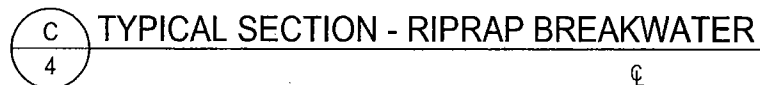
LAUNCH RAMP TYPICAL SECTIONS

PND#: 052012.01

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RAMP REHABILITATION
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APPLICATION BY: ALASKA DNR
DATE: 5/7/05
REV: 6/20/05 SHEET 5 OF 7

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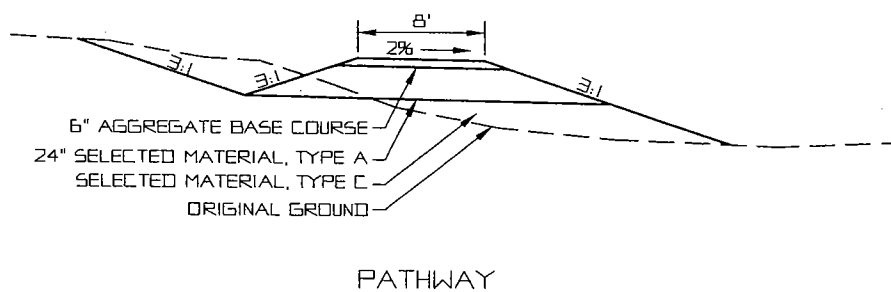
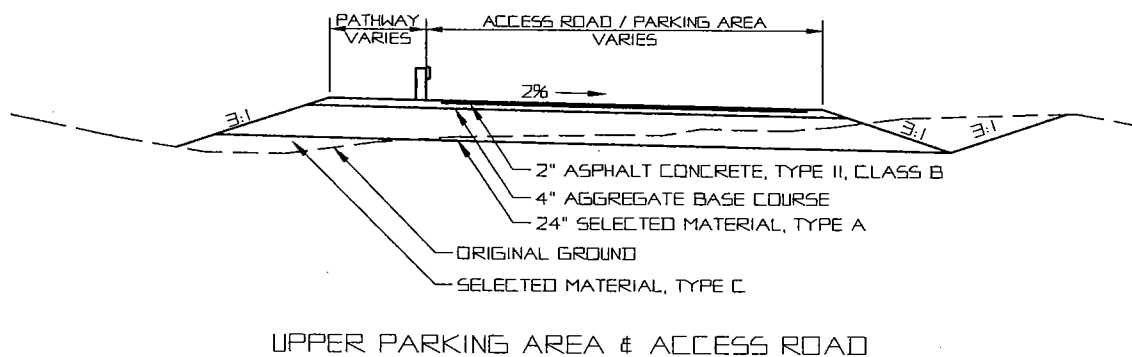
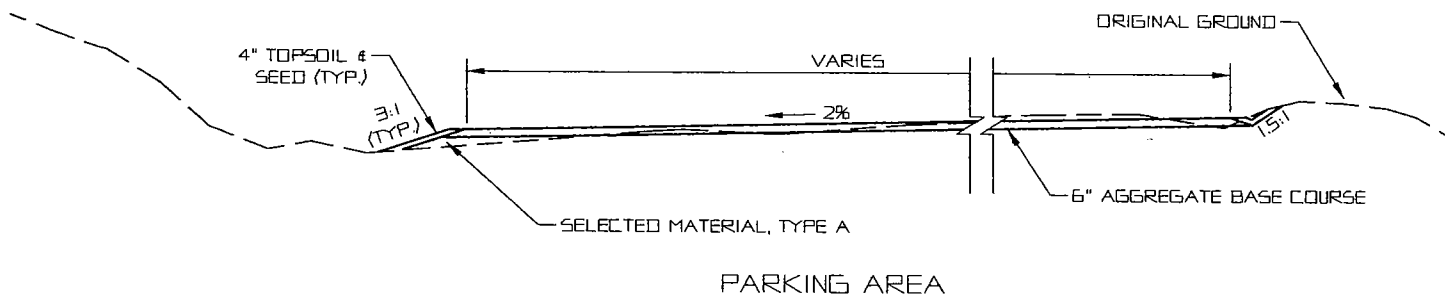


DATUM: MLLW = 0.0 ft

PND#: 052012.01

APPLICATION BY: ALASKA DNR
DATE: 5/7/05
REV: 6/20/05 SHEET 6 OF 9

AUG 17 2005



PURPOSE:
TO IMPROVE LAUNCH AVAILABILITY,
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ACCESS ROADS & PARKING AREA TYPICAL SECTIONS

PROPOSED:
STARRIGAVAN BOAT
LAUNCH
RAMP REHABILITATION
IN: SITKA SOUND
NEAR: SITKA, ALASKA
AT: STARRIGAVAN BAY
APPLICATION BY: ADF&G

DATUM: MLLW = 0.0 ft

PND#: 052012.01

DATE: 5/7/05 SHEET 7 OF 7

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No POA-2005-1062-2, Sitka Sound, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No POA-2005-1062-2, Sitka Sound, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
410 Willoughby Avenue
Juneau, Alaska 99801-1795
Telephone: (907) 465-5321
FAX: (907) 465-5274